

Judge: Thomas T. Glover  
Chapter: 11  
Place: Seattle  
Date: June 18, 2010  
Time: 9:30 am  
Response Date: June 11, 2010

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re: )  
 ) No. 09-14441  
WARDAL W. HOUSTON and )  
CAROL L. HOUSTON, ) OBJECTION OF THE UNITED STATES  
 ) TRUSTEE TO CONFIRMATION OF PLAN  
Debtors. )  
 )

Robert D. Miller Jr., U.S. Trustee, by and through his attorney, Jill Irene Lunn, makes the following objections to confirmation of the proposed plan. The U.S. Trustee objects to those provisions of the Disclosure Statement and the Plan that appear to provide for the discharge to be granted to the Debtors upon confirmation.

11 U.S.C. § 1141 (d)(5) provides that

(5) In a case in which the debtor is an individual –

(A) unless after notice and a hearing the court orders otherwise for cause, confirmation of the plan does not discharge any debt provided for in the plan until the court grants a discharge on completion of all payments under the plan:

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OBJECTION OF THE UNITED STATES  
TRUSTEE TO CONFIRMATION OF  
PLAN

Office of the United States Trustee  
United States Courthouse  
700 Stewart St., Suite 5103  
Seattle, Washington 98101-1271  
(206) 553-2000, ext. 253  
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1 The Disclosure Statement, Section F, page 36 states “[c]onfirmation of the Plan shall operate  
2 on the Effective Date of the Plan as a discharge of Debtors from all claims and indebtedness that  
3 arose before the Effective Date of the Plan . . . .

4 Article 28 of the Plan, page 41, states “Entry of a final order confirming the Plan acts as a  
5 discharge of any and all liability of the Debtors that are dischargeable under 11 U.S. C. § 1141.”

6 The U.S. Trustee objects to confirmation of a plan that fails to recognize the Debtors ongoing  
7 obligation to pay statutory fees post-confirmation. 28 U.S.C. § 1930.

8 The U.S. Trustee further objects to the Debtors’ failure to provide sufficient information  
9 regarding their income and expenses to allow unsecured creditors to determine if an objection is  
10 appropriate. This information is also necessary for the Court to then determine that the Debtors’  
11 have met the confirmation requirements of 11 U.S.C. § 1129(a)(15) which require that the value of  
12 the property to be distributed under the plan is not less than the projected disposable income of the  
13 debtor received during the 5-year period as further defined in the provision.

14 For the foregoing reasons, the U.S. Trustee requests that confirmation of the proposed plan  
15 be denied.

16 Dated this 11<sup>th</sup> day of June, 2010.

17  
18 Respectfully Submitted

19 Robert D. Miller Jr.  
20 United States Trustee

21 /s/ Jill Irene Lunn  
22 Jill Irene Lunn, WSBA #14432  
23 Attorney for the United States Trustee  
24  
25

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